

REMARKS

In response to the outstanding Notice of Non-Compliant Amendment, please insert the revised section on the New Claims.

New Claims

New claims 22 and 23 have been added by way of the present amendment to claim additional features of the invention. These claims are readable on the claims of Group 1 (i.e., 1-15, 19, 20) of the original restriction requirement mailed 8/19/04 which were: “drawn to an implant. That this is indeed the case is further evidenced by new claims 22 and 23 being dependent on claims 1 and 15, respectively. In particular, new claims 22 and 23 recite:

wherein *the implant* has a surface further comprising mouths, channels and channel branches having diameters in a range of 0.1 μm to 1.5 μm and that comprise 20% of the surface (emphasis added).

Support for the new claims is provided at least at page 12, lines 11 to 22, and as shown at least in **FIG. 4** of originally filed specification. Therefore, the new claims raise no questions of new matter.

As discussed above, new claims 22 and 23 are dependent upon independent claims 1 and 15, respectively. Thus, at least for the same reasons discussed above for claims 1 and 15, new claims 22 and 23 patentably distinguish over Hahn. In addition, it is respectfully submitted that Hahn nowhere discloses the limitations recited above in new claims 22 and 23. Therefore, it is respectfully submitted that Hahn does not disclose, suggest or make obvious the limitations of new claims 22 and 23 and that these new claims patentably distinguish thereover.

Conclusion

In view of the above amendments and remarks, reconsideration and allowance of the pending claims are respectfully requested. Applicants believe that the present application is in condition for allowance, and an early indication of the same is respectfully requested. In the event the Examiner believes an interview might serve to

advance the prosecution of this application in any way, the undersigned is available at the telephone number noted below.

The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to Deposit Account No. 22-0185 under docket number 21547-00283.

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Respectfully submitted,

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